ORDER RECEIVED FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Bear Creek Drive, 212.5' S

of the c/l North Boundary Road (8210 Bear Creek Drive)

12th Election District
7th Councilmanic District

George S. Kreisher, et ux

Petitioners

BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

Case No. 97-18-A

\*

\* \* \* \* \* \* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 8210 Bear Creek Drive, located in the vicinity of North Boundary Road in Dundalk. The Petition was filed by the owners of the property, George S. and Anna H. Kreisher. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, and 11 feet from the rear street on a double frontage lot in lieu of the minimum required 25 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The subject property having been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion

of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 1996 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, and 11 feet from the rear street on a double frontage lot in lieu of the minimum required 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

### Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

August 16, 1996

Mr. & Mrs. George S. Kreisher 8210 Bear Creek Drive Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Bear Creek Drive, 212.5' S of the c/l North Boundary Road

(8210 Bear Creek Drive)

12th Election District - 7th Councilmanic District

George S. Kreisher, et ux - Petitioners

Case No. 97-18-A

Dear Mr. & Mrs. Kreisher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: People's Counsel

rile

MONORILALD

### Petition for Administrative Variance

	to the Zoning Comm	issioner of Baltimore County
MOVIMBO	for the property located at	
97	-18-A	which is presently zoned $DR - 5.5$

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.14 Policy MANUAL 1-1.3B

TO ALLOW A DETACHED STRUCTURE (GARAGE) TO BE IN THE SIDE YARD IN LIEW OF THE REAR YARD, ILFT. FROM THE REAR STREET ON B

DOVBLE FRONTSCE LOT IN LIEW OF THE REQUIRED 25 FT of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or

REASONS THE ZONING REGULATIONS CANNOT BE MET ON MY PROPERTY

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

Zoning Commissioner of Baltimore County

- 1. GARAGE WOULD BE POSITIONED IN THE MIDDLE OF MY YARD
- 2. TREES WOULD HAVE TO BE CUT DOWN.

circulation throughout Baltimore County, and that the property be reposted.

Policy of the Men

3. RESTRICT THE USE OF MY PROPERTY FOR RELATATION & ENJOYMENT. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

ype or Print Name) Ignature	Phone	No. Zipcode	BALTIMOR & City Name, Address and phone number of Name Address	State representative to be co	2/22 Zipcod
			City Name, Address and phone number of	M.D. State	2/22 Zipcod
			BALTIMORE	M.D. State	2/22 Zipcode
ype or Print Name)		· · · ·	BALTIMORE	M.D. State	2/22 Zipcode
ype or Print Name)					2122
Type or Print Name)					
			Address	<u> </u>	Phone No.
orney for Petitioner:			8210 BEAR CREE	K DR. 2	.88-3311
iy	State	Zipcode	Signature		
			(Inna N.	Treest	her)
dress			(Type or Print Name)	/ 0/	4
			(Type or Print Name)  Signature  ANNA H.  (Type or Print Name)	KREISHE!	R
nature	- <u>, </u>		Signature	,	
			Gura S.	Breich	·
(pe or Print Name)			(Type or Print Name)	*	
			GEARGE S. K	REISHER	
Illingat I minimanis manners			Legal Owner(s):		
ntract Purchaser/Lessee:					

Printed with Saybean Ink

on Recycled Paper



REVIEWED BY:

ESTIMATED POSTING DATE: \_

CHOICE RECEIVED

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 92/0 BEBR CREEK DR.
BALTIMORE M.D. 2/222 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
1. COMPLIANCE WITH REQUIREMENT WOULD PLACE PROPOSED GARAGE AT THE
SIDE AF MY HOUSE AND MY NEIGHBORS, BLOCKING VIEW FROM SIDE WINDOWS.
2. COMPLIANCE WOULD NECESSITATE REMOVING 2 TREES ONE A LARGE SHADE THEE
3. OTHER LOCATIONS PRESENT PROBLEMS. FRONT STREET HAS OPEN GUTTER
ON MY SIDE AND RETAINING WALL. BACK SOUTH EAST CERNER HAS
ELECTRIC SERVICE POLE of GUY WIRES, PLUS AT LEAST 4 TREES TO BE REMOUED
4. GARAGE AT THE MIDDLE OF MY YARD WOULD OCCUPY THE SPACE THAT IS
NOW USED FOR GARDENING, COOKING OUT & RELATING.
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.  (signature)  (signature)  (type or print name)  STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
of Maryland, in and for the County aforesaid, personally appeared
GEORGE S. KREISHER & AWNO H. KREISHER
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal.  July 11, 1994  NOTARY PUBLIC  NOTARY PUBLIC
My Commission Expires: 10-1-66

### ZONING DESCRIPTION FOR 8210 BEAR CREEK DR. 97-18-A

BEGINNING AT A POINT ON THE EAST SIDE OF BEAR CREEK DR. WHICH IS 30' R/W WIDTH WIDE AT THE DISTANCE OF 212.5' SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET N. BOUNDRY RD. WHICH IS 30' R/W WIDTH WIDE. BEING LOT # 164-167 IN THE SUBDIVISION OF ROSEWALD BEACH AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #10, FOLIO#88 CONTAINING D.41 ACRES. ALSO KNOWN AS 8210 BEAR CREEK DR. AND LOCATED IN THE 12TH ELECTION DISTRIC, TIN COUNCILMANIC DISTRICT.

# ZONING DEPARTMENT OF BALTIMORE COUNTY CERTIFICATE OF 1 JETING

Towner, Maryland

97-18-12

Ļ,	Date of Posting. 7/2.6/9.6			 Varon br	
	Deta	22 (1300) H	a book Dr	is phospary to pand	•
District_12th	Posted for: Carlexce.	Petitioner: George & Ann (700) hou	Location of property. 8710 Bea Goog & Dr.	Location of signs alectual of it hopes of being sone	

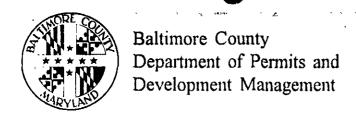
(2)

Posted by

Remarks:

Number of Signa:

Data of return. 8796



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

**สน**เสาสมสังสารณาการ สา

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

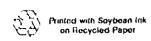
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 9. Petitioner: GEORGE S & ANNA H. KREISHER
Location: 8210 BEAR CREEK DR.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: GEORGE S. KREISHER
ADDRESS: 8210 BEAR CREEK DR.
BALTIMORE NO. 21222
PHONE NUMBER: (410) 288-3311



19



## Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

July 22, 1996

### NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 97-18-A (Item 19)

8210 Bear Creek Drive

E/S Bear Creek Drive, 212.5' S of c/l Doundary Road

12th Election District - 7th Councilmanic

Legal Owner(s): George S. Kreisher and Anna H. Kreisher

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before July 28, 1996. The closing date (August 12, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: George and Anna Kreisher



MICROFILMED



O1. ONE FAMILY O2. TWO FAMILY O3. THREE AND FOUR FAMILY O4. FIVE OR MORE FAMILY O5. SWIMMING POOL O6. GARAGE O7. OTHER TYPE FOUNDATION 1. SLAB 2. BLOCK 2. PARTIAL 3. NONE	ALTERATION  4. REPAIR  5. WRECKING  6. MOVING  7. OTHER COC  TYPE OF USE  RESIDENTIAL		PERMIT #:/ RECEIPT #:/ CONTROL #: CG C- CREF #:  REE: \$5.00 PAID: 3.525 PAID:	
O8. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY O9. CHURCH, OTHER RELIGIOUS BUILDING 10. FENCE (LENGTH HEIGHT 11. INDUSTRIAL, STORAGE BUILDING 11. INDUSTRIAL, STORAGE BUILDING 12. PARKING GARAGE 13. SERVICE STATION, REPAIR GARAGE 14. HOSPITAL, INSTITUTIONAL, NURSING HOME 15. OFFICE, BANK, PROFESSIONAL 16. PUBLIC UTILITY 17. SCHOOL, COLLEGE, OTHER EDUCATIONAL 19. STORE MERCANTILE RESTAURANT SPECIFY TYPE 20. SWIMMING POOL SPECIFY TYPE	DESCRIBE PROPOSED WORK: Change of occupancy from multifamily to senion cascatel living to senion furple NON-RESIDENTIAL	S3A3 S sp. sp. sp. sp. sp. sp. sp. sp. sp.	DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT OF PERMITS OF PARK OF P	APPLICATION FOR PERMIT BALTIMORE COUNTY MARYLAND OF FEWARE & DEVICE COMPANY MANAGEMENT

### #17 --- RT

1. Everything in folder, except posting sheet and receipt, says item "7" instead of "17".

### #19 --- JRA

- 1. No review information on bottom of petition form.
- 2. Not marked critical area.
- 3. Folder says "coastal zone" What is that?

### #20 --- JCM

1. Petition doesn't have zoning - just "residential".

### #21 --- MJK

 Need typed or printed name and title of person signing for contract purchaser.

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE MEMORANDUM

March 1, 1996

Nowe Betty bookers hosker

TO: Robin Churchill

Executive Office

FR: Eugene Freeman

> Department of Permits and Development Management

Notre Dame Prep School Fund Raiser RE: Mulevee

I have received the attached letter from Pedestal Productions describing activities planned for Notre Dame Prep School's Fund Raiser to occur on April 20, 1996. The planned Vegas Night activities would require a Baltimore County Casino Event Permit. This permit cannot be issued to Pedestal Productions; it must be issued to Notre Dame Prep School. Pedestal Productions cannot, under state law and county regulations, participate in the conduct of the casino event. All casino event activities (games) must be totally managed by Notre Dame Prep School, and all games must be operated by people from Notre Dame Prep School. No dice (crap) games and no slot machines are permitted.

Enclosed are copies of the following documents.

a. Annotated Code of Maryland, Article 27, Section 255, which governs gaming events in Baltimore County;

b. Baltimore County Casino Event Rules and Regulations;

c. Casino Event Permit Application for use by Notre Dame Prep school. It must be filed a minimum of fourteen (14) days prior to the event.

enclosures

EAF/nmn

Schapiro joining herein to release her dower interest.)

AND WHEREAS the parties of the second part are the owners of a plot of ground which is described in a deed dated August 28, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 folio 403 from William J. Foley, Inc. to Esther L. Letmate and Rose Letmate, her mother, as joint tenants; and

WHEREAS the entire tract of land owned by the parties of the first part and second parts is subject to cortain restrictions which are referred to in a deed from Gortrude Maxwell to William J. Foley, Inc., dated August 27, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 folio 399, the restriction which is No. 2 reading in part as follows: "the plots so sold shall contain not less than one-half acre each and not more than one dwelling shall be erected on any of said plots";

AND WHEREAS the party of the third part has contracted to purchase from the parties of the first part, part of the said tract described in the deed above mentioned, free and clear from the restriction herein specifically referred to, and it becomes necessary for the elimination and voidance of the said restriction that the parties of the second part also consent thereto, it being the intention of the parties that the sald restriction be lifted from the entire tract.

NOW THEREFORE, THIS AGREEMENT WITNESSETH, that in consideration of the premises and of the sum of Five (\$5.00) Dollars, in hand paid by the party of the third part to each of the parties of the first and Second Parts, the parties hereto agree as follows, for themselves, their respective heirs and assigns:

The parties of the first part hereby agree with the party of the third part that the second restriction contained in a deed from B. Gertrude Maxwell to William J. Foley, Inc., dated August 27, 1941, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 folio 399, is forever waived, released and extinguished as to all of the land and any interest therein owned by either of said parties.

AND THIS AGREEMENT FURTHER WITNESSETH, that in consideration of the party of the third part, for himself, his heirs and assigns, agreeing that the plot of ground marked "A", upon the Plat hereto attached, shall forever remain unimproved and that one dwelling shall be erected on each of lots Numbered 1, 2, and 3 on said Plat, the Parties of the second part, for themselves, their heirs and assigns, agree with the party of the third part, for himself, his heirs and assigns, that restriction numbered 2 contained in the aforesaid Deed from B. Gertrude Maxwell, unmarried, to William J. Foley, Inc., dated August 27, 1941, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172. folio 399, shall be forever waived, released and extinguished as to the End or any interest therein owned by either of the parties hereto.

IT IS UNDERSTOOD AND AGREED between the parties that all the mst of the restrictions shall remain in full force and effect.

AS WITNESS the Hands and seals of the parties hereto; TEST:

> William E. Blake Joseph S. Schapiro (SEAL) William E. Blake Joseph S. Schapiro William E. Blake Maynard S. Schapiro (SEAL) William E. Blake Maynard S. Schapiro Julius A. Letmate Esther L. Letmate (SEAL) Julius A. Letmate

MITTER AND Esther L. Letmate

Julius A. Letmate

Rose M. Letmate (SEAL)

Julius A. Letmate

Rose M. Letmate

Julius Sugar

Gordon E. Sugar (SEAL)

Julius Sugar

Gordon E. Sugar

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 18th day of February, 1950, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, aforesaid, personally appeared Esther L. Letmate, Rose M. Letmate and Gordon E. Sugar, and acknowledged the foregoing Agreement to be their act.

(Notarial Seal)

Eugene Hattleman

Eugene Hettleman Notary Public

STATE OF CALIF. COUNTY OF LOS ANGELES, TO WIT:

I HEREBY CERTIFY that on this 18th day of March, 1950, before me, the subscriber, a Notary Public of the State of Calif. in and for the County of Los Angeles, aforesaid, personally appeared Joseph S. Schapiro and Maynard S. Schapiro, and acknowledged the foregoing Agreement to be their act.

AS WITNESS my hand and Notarial Seal.

(Notarial Seal)

C. E. Porter

My commission expires April 29, 1953.

C. E. Porter Notary Public

Rec Mar 28 1950 at 9:00 AM & exd per T Braden Silcott Clerk- Rec dmc Exd by RB&RL

132824 Joseph S Schapiro et al :

THIS DEED, Made this 18th day of March, 1950, by

Deed to Gordon E Sugar

: and between Joseph S. Schapiro and Maynard S. Schapiro,

US \$18.70 SS \$18.70

: his wife, of Los Angeles County, in the State of Califor

nia, of the first part, and Gordon E. Sugar, of the second

part.

WITNESSETH, That in consideration of the sum of five (\$5.00) Pollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said Joseph S. Schapiro and Maynard S. Schapiro, his wife, do grant and convey unto the said Gordon E. Sugar, his heirs and assigns in fee simple, all that lot of ground situate in the third Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same on the cast side of Park Heights Avenue, at the Beginning of the third line of a parcel of land, which by deed dated January 24, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1428, folio 402 etc., was conveyed by William J. Foley, Inc., to Joseph S. Schapiro; running thence binding on said third line and on the east side of Park Heights Avenue southerly by a line curving to the right with a radius of 844.45 feet a distance of 173.01 feet (the chord of said arc being south 10 degrees 17 minutes East 172.71 feet), thence still binding on Park heights Avenue and part of the fourth line of the above described deed south 4 degrees 15 minutes east 492.53 feet to the beginning point of a parcel of land which by deed dated August 28, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 folio 403 was conveyed by William J. Foley, Inc. to Esther L. Letmate and Rose M. Letmate, her mother, running thence binding on the fourth, third and second lines of said deed, but in a reversely direction, the three following courses and distances; north 88 degrees 16 minutes East 221.31 feet, south 11 degrees 12 minutes West 305.53 feet and North 76 degrees 42 minutes 30 seconds west 146.52 feet to

San San Bartan Street and Large Sylvey by the principle

07-17-96

TO WHOM IT MAY CONCORN,

I AM REQUESTING A VARIANCE FOR THE REASONS
STATED IN MY APPLICATION, BUT I WOULD LIKE TO STATE
ADDITIONAL REASONS THAT MAY OR NOT BE PERTINENT TO
MY REQUEST.

AS YOU WILL NOTE THE ETISTING GARAGE ON MY
PROPERTY WILL HAVE TO BE REMOVED TO MAKE ROOM FOR
A NEW GARAGE. THE OLD GARAGE MEASURES 12'X19'
AND IS TOO SMALL FOR MOST OF TODAYS CARS. (MY TRUCK
15 20' LONG.). THIS GARAGE WAS BUILT APPROXIMATELY
50 YEARS AGO, BUILT RIGHT ON THE PROPERTY LINE,
HAS NO FOUNDATION EXCEPT A CEMENT SLAB, AND IS
CRACKED IN MANY PLACES.

THE NEW BARAGE I INTEND TO BUILD WILL BE
24' X 24' WITH 2 DOORS, AND BUILT TO THE BALTIMESE
COUNTY CODE, (EXCEPT FOR THE VARIENCES REQUESTED) BY
A LICENSED CONTRACTOR. THIS WILL IMPROVE THE
APPEARANCE OF MY PROPERTY AND MY NEIGHBORS.

THE SITE FOR THE NEW GARAGE WAS SELECTED BECAUSE IT WILL DISRUPT MY PROPERTY THE LEAST OF ANY OF THE OTHER POSSIBLE LOCATIONS. 90% OF THE BHOCKTOP DRIVEWAY WILL ALREADY BE IN PLACE. NO TREES WILL HAVE TO BE REMOVED. MY VEGETABLE GARDEN SPACE WILL BE PRESERVED.

**MICROFILMED** 

MY NEIGHBOR ON WHOSE PROPERTY LINE THE

OLD GARAGE SITS MAS NO OBJECTIONS TO MY PLON.

HE WILL SUBMIT A STATEMENT STOTING THIS.

ONE OTHER REASON FOR THE NEED OF A PLACE

TO PARK MY VEHICLES OFF THE STREET IS THE FART

THAT THE STREET AT THE REAR OF MY PROPERTY

N. BOUNDRY RO. IS POSTED WITH NO PARKING AT

ANY TIME SIGNS ON MY SIDE OF THE STREET. ACROSS

THE STREET IS A LARGE HOLIDAY GATE APARTMENT

COMPLEX WITH MANY APARTMENTS. THE FRONT STREET

BEAR CREEK OR. HAS AN OPEN GUTTER & NO

SIDEWALKS OR CURBING WHICH RESTRICTS PARKING

THANK YOU

GEORGE S. KREISHER

HAVING TALKED WITH MY NEIGHBOR MR KREISHER ABOUT HIS PLANS FOR A GARAGE, I HAVE NO OBJECTIONS TO HIS PLANS

> JAMES B. PLORUNSEI 8201 BENR CREEK DR. James B. Horunski

George Kreisher 8210 Bear Creek Dr. Baltimore, MD 21222-4804



DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT

111 WEST CHESAPEAKE AVENUE

Room III

TOWSON, MD 21204

ATTN. SOHN ALEXANDER

REF. # 19

printing pri

|Special Hearing see pages 5 & 6 of the CHECKLIST for additional required information , Jr LOCATION INFORMATION Office USE ONLY! CASE#: Chesapeake Bay Critical Area: SEWER: 🔀 WATER: 🔯 1'=200' scale map#: **SE-36** DR-5.5 scale: 1"=1000° Vicinity Map SUBJECT PROPERTY TEM #: Prior Zoning Hearings: 2 Councilmanic District: acreage Lot size: O.41 Election District: reviewed by: Zoning FUS Plat to accompany Petition for Zoning⊠Variance 81450 Sept Lough , a Ac The shaken MOJNIAN 301 PAVING Ensiev Hay Co. N. BOUNDRY RD. .2N 05.0 Scale of Drawing: 1'=\_ who had PROPERTY ADDRESS: \$210 BEAR CREEK DR. E-12 Treduc 10010 DEAR ORESET DR (30 Phy 25' PAVINO) OWNER: GEORGE MANNA KREISHER o Property Live plat book# 10 ,folio# 56 ,lot#/L4-1/Fection# Subdivision name: ROSEWALD BEACH date: *67-11-9*4 prepared by: *(C. XRELSHE R* North

1

Ŋ.,

MAP ZONING

PREPARED BY AIR PHOTOG MARTINSBURG, W.V. 25401

 $\infty$ 

MICROFILMED

(8210 Bear Creek Drive) \* OF BALTIMORE COUNTY 12th Election District 7th Councilmanic District \* Case No. 97-18-A

George S. Kreisher, et ux Petitioners \* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 8210 Bear Creek Drive, located in the vicinity of North Boundary Road in Dundalk. The Petition was filed by the owners of the property, George S. and Anna H. Kreisher. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, and 11 feet from the rear street on a double frontage lot in lieu of the minimum required 25 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

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Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE,, IT IS ORDERED by the Zoning Commissioner for Baltimore day of August, 1996 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit an accessory structure (detached garage) to be located in the side yard in lieu of the required rear yard, and 11 feet from the rear street on a double frontage lot in lieu of the minimum required 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order: however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

ZONING DESCRIPTION FOR 8210 BEAR CREEK DR.

BEGINNING AT A POINT ON THE EAST SIDE OF BEAR CREEK DR. WHICH IS 30' R/W WIDTH WIDE AT THE DISTANCE OF 212.5' SOUTH OF THE CENTERLING OF THE NEAREST IMPROVED INTERSECTING STREET N. BOUNDRY RD. WHICH 15 30' R/W WIDTH WIDE. BEING LOT # 164-167 IN THE SUBDIVISION OF ROSEWALD BEACH AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #10, FOLIO#88 CONTAINING D. 41 ALRES. ALSO KNOWN AS 8210 BEAR CREEK DR. AND LOCATED IN THE 12TH ELECTION DISTRIC, TTH COUNCILMANIC DISTRICT.

Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

August 16, 1996

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Mr. & Mrs. George S. Kreisher 8210 Bear Creek Drive Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE E/S Bear Creek Drive, 212.5' S of the c/l North Boundary Road (8210 Bear Creek Drive) 12th Election District - 7th Councilmanic District George S. Kreisher, et ux - Petitioners Case No. 97-18-A

Dear Mr. & Mrs. Kreisher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Location of Signer France residues 6 71 Property soing zone

Very truly yours, LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs cc: People's Counsel

for the property located at 8210 BEAR CREEK DR. which is presently zoned DR -5.5 This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached The undersigned, legal owner(s) of the property studie in Definition (s) Hoo. 14 Policy MANUAL 1-1.3 B TO ALLOW A DETACHED STRUCTURE GARAGE) TO BE IN THE SIDE YARD IN LIEW OF THE REAR YARD, ILFT. FROM THE REAR STREET ON A DOVBHE FRONTING LOT IN LIEW OF THE REQUIRED 25 FT of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) REASONS THE ZONING REGULATIONS CANNOT BE MET ON MY PROPERTY 1. GARAGE WOULD BE POSITIONED IN THE MIDDLE OF MY YARD 2. TREES WOULD HAVE TO BE CUT DOWN. 3. RESTRICT THE USE OF MY PROPERTY FOR RELAXATION & ENSOYMENT. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. t/We do solemnly declare and affirm, under the ponalties of penury, that I/we are the Contract Purchaser/Lessee 8210 BEAR CREEK DR. 288-3311 BALTIMORE MD. 21222 Name, Address and phone number of representative to be contacted. that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

circulation throughout Baltimore County, and that the property be reposted.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON,	DIRECTOR
For newspaper advertising:		
Item No.: Petitioner: GEORGE	5 S & ANNA	H. KREISHER
Location: 8210 BEAR CREEK DR	<u> </u>	<u> </u>
PLEASE FORWARD ADVERTISING BILL TO:		
NAME: GEORGE S. KREISHEN	2	
ADDRESS: 8210 BEAR CREEK DR	<u> </u>	
BALTIMORE MD. 21222	<u></u>	
PHONE NUMBER: (410) 288-3311		

2) Billing for legal advertising, due upon receipt, will come

	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: Petitioner: <u>CEORG</u>	E S & AINA H. KREISHEI
Location: 8216 BEAR CREEK DE	?
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: GEORGE S. KREISHEI	P
ADDRESS: 8210 BEAR CREEK DR	
BALTIMORE MD. 21222	
PHONE NUMBER: (410) 288-3311	

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 92/0 BEBR CREEK DR.

BALTIMORE MO. That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

Variance at the above address: (indicate hardship or practical difficulty) 1. COMPLIANCE WITH REQUIREMENT WOULD PLACE PROPOSED GARAGE AT THE SIDE OF MY HOUSE AND MY NEIGHBORS, BLOCKING VIEW FROM SIDE WINDOWS. 2. COMPLIANCE WOULD NECESSITATE REMOVING 2 TRESS ONE A LARGE SHADE TREE. 3. OTHER LOCATIONS PRESENT PROBLEMS. FRONT STREET HAS OPEN GUTTER ON MY SIDE AND RETAINING WALL BACK SOUTH EAST CORNER HAS ELECTRIC SERVICE POLE & GUY WIRES, PLUS AT LEAST 4 TREES TO BE REMOUED. 4. GARAGE AT THE MIDDLE OF MY YARD WOULD OCCUPY THE SPACE THAT IS

NOW USED FOR GARDENING COOKING OUT & RELATING. That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

July 11, 1496

My Commission Expires: 10-1-96

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

July 22, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-18-A (Item 19)
8210 Bear Creek Drive
E/S Bear Creek Drive, 212.5' S of c/l Doundary Road
12th Election District - 7th Councilmanic
Legal Owner(s): George S. Kreisher and Anna H. Kreisher

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 28, 1996. The closing date (August 12, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.



cc: George and Anna Kreisher

PETITION PROBLEMS

#17 --- RT

1. Everything in folder, except posting sheet and receipt, says item "7" instead of "17".

#19 --- JRA

1. No review information on bottom of petition form.

2. Not marked critical area.

3. Folder says "coastal zone" - What is that?

#20 --- JCM

Petition doesn't have zoning - just "residential".

#21 --- MJK

 Need typed or printed name and title of person signing for contract purchaser.

July 19, 1996

Schapiro joining herein to release her dower interest.)

AND WHEREAS the parties of the second part are the owners of a plot of ground which is described in a deed dated August 28, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 felic 403 from William J. Feley, Inc. to Esther L. Letmate and Rose Letmate, her mether, as joint tenants; and

WHEREAS the entire tract of land owned by the parties of the first part and second parts is subject to certain restrictions which are referred to in a deed from Gertrude Maxwell to William J. Foley, Inc., dated August 27, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 folio 399, the restriction which is No. 2 reading in part as follows: "the plots so sold shall contain not less than one-half acre each and not more than one dwelling shall be erected on any of said plots":

AND WHEREAS the party of the third part has contracted to purchase from the parties of the first part, part of the said tract described in the deed above mentioned, free and clear from the restriction herein specifically referred to, and it becomes necessary for the elimination and voidance of the said restriction that the parties of the second part also consent thereto, it being the intention of the parties that the said restriction be lifted from the entire tract.

NOW THEREFORE, THIS AGREEMENT WITNESSETH, that in consideration of the premises and of the sum of Five (\$5.00) Dollars, in hand paid by the party of the third part to each of the parties of the first and Second Parts, the parties hereto agree as follows, for themselves, their respective heirs and assigns:

The parties of the first part hereby agree with the party of the third part that the second restriction contained in a deed from B. Gertrude Maxwell to William J. Foley, Inc., dated August 27, 1941, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1172 folio 399, is forever waived, released and extinguished as to all of the land and any interest therein owned by either of said parties.

AND THIS AGREEMENT FURTHER WITNESSETH, that in consideration of the party of the third part, for himself, his heirs and assigns, agreeing that the plot of ground marked "A", upon the Plat hereto attached, shall forever remain unimproved and that one dwelling shall be erected on each of lots Numbered 1, 2, and 3 on said Plat, the Parties of the second part, for themselves, their heirs and assigns, agree with the party of the third part, for himself, his heirs and assigns, that restriction numbered 2 contained in the aforesaid Deed from B.

Gertrude Maxwell, unmarried, to William J. Foley, Inc., dated August 27, 1941, and recorded among the Land Records of Paltimore County in Liber C.H.K. No. 1172. folio 399, shall be forever waived, released and extinguished as to the End or any interest therein owned by either of the parties hereto.

IT IS UNDERSTOOD AND AGREED between the parties that all therest of the restrictions shall remain in full force and effect.

AS WITHESS the Hands and seals of the parties hereto.

William E. Blake

Maynard S. Schapire

William E. Blake

Maynard S. Schapire

Julius A. Letmate

Esther L. Letmate

SEAL)

07-17-96

TO WHOM IT MAY CONCERN,

AM REQUESTING A VARIANCE FOR THE REASONS
STATED IN MY APPLICATION, BUT I WOULD LIKE TO STATE
ADDITIONAL REASONS THAT MAY OR NOT BE PERTINENT TO
MY REQUEST.

AS YOU WILL NOTE THE EXISTING GARAGE ON MY
PROPERTY WILL HAVE TO BE REMOVED TO MAKE ROOM FOR
A NEW GARAGE. THE OLD GARAGE MEASURES 12'X19'
AND IS TOO SMALL FOR MOST OF TODAYS CARS. (MY TRUCK
15 20'LONG). THIS GARAGE WAS BUILT APPROXIMATELY
50 YEARS AGO, BUILT RIGHT ON THE PROPERTY LINE,
HAS NO FOUNDATION EXCEPT A CEMENT SLAB, AND IS
CRACKED IN MANY PLACES.

THE NEW BARAGE I INTEND TO BUILD WILL BE
24' X 24' WITH 2 DOORS, AND BUILT TO THE BALTIMEE
COUNTY CODE, (EXCEPT FOR THE VARIENCES REQUESTED) BY
A LICENSED CONTRACTOR. THIS WILL IMPROVE THE
APPEARANCE OF MY PROPERTY AND MY NEIGHBORS.

THE SITE FOR THE NEW GARAGE WAS SELECTED BECAUSE IT WILL DISRUPT MY PROPERTY THE LEAST OF ANY OF THE OTHER POSSIBLE LOCATIONS, GOTO OF THE BHACKTOP DRIVEWAY WILL ALREADY BE IN PLACE. NO TREES WILL HAVE TO BE REMOVED. MY VEGETABLE GARDEN SPACE WILL BE PRESERVED.

